

REMARKS

In response to the office action mailed April 10, 2007, Applicants amended claims 1, 13, and 29. Claims 1-29 are presented for examination.

Drawings

The Examiner objected to the drawings for failing to show certain features of the claims. In particular, the Examiner contended that the figures fail to show "the edge section of the membrane" of claims 10-12 and 24 and the "radial projection" of claim 13. With regard to claims 10-12 and 24, Applicants submit that one example of "the edge section of the membrane" is shown in Figs. 3 and 4. In the specification, Applicants state, "As Fig. 3 shows, the membrane 9 has a projection 10 in the form of an annular collar extending circumferentially around the base 6." Substitute specification, p. 6, lines 21-23. With regard to Figs. 3 and 4, Applicants state, "Placing the actuating button 12 down onto the base 6 compresses the projection 10 of the membrane 9 between the shoulder of the base 6 and the head 16 of the actuating button 12. The resulting press-fit can help to prevent dirt from getting in between the membrane 9 and the head 16 of the actuating button 12." Substitute specification, p. 7, lines 12-15. With regard to amended claim 13, Applicants submit that an example of "the radial projection" is shown in Figs. 1-4. In the specification, for example, Applicants explain that the base 6 has a radially projecting shoulder 8. Substitute specification, p. 6, lines 15-16.

In view of the foregoing, Applicants request reconsideration and withdrawal of the objection to the drawings.

Claim Objections

The Examiner objected to claim 21 for depending from claim 2 rather than claim 20. In particular, the Examiner contended that "the at least one elastic bar" recited in claim 21 is found in claim 20 rather than claim 2. However, the limitation "at least one elastic bar" can also be found in claim 2. Therefore, Applicants request reconsideration and withdrawal of this objection.

Claim Rejections

Claims 1, 2, 4-8, 13-16, 18-20, 28, and 29 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,369,341 ("Katsumi"). But Katsumi fails to disclose or suggest a hard plastic base (or rigid base) bonded to a membrane, as required by Applicants' claims. Katsumi also fails to disclose or suggest an actuating button fastened to (or secured to) the base, as required by Applicants' claims.

Katsumi discloses an electric shaver that includes a push button 20 provided in a case 1. See, e.g., Katsumi, col. 3, lines 24-27. The push button 20 is securable to the case 1 in a watertight configuration. See, e.g., id., col. 4, lines 45-48. The push button is located within a window 1B of the case 1, and a periphery ridge 24 surrounds the window 1B. See, e.g., id., col. 4, lines 54-58. The electric shaver also includes a gasket 21 having a circular groove 21A in which the periphery ridge 24 of the case 1 is disposed. See, e.g., id., col. 4, lines 61-62. The push button 20 includes a projection 20A, which extends through an insertion cavity 21c of the gasket 21. See, e.g., id., col. 4, lines 49-51. An inner ring 22 and cosmetic plate 25 are formed of a single piece that fits over the gasket 21 in the periphery edge region of case 1. See, e.g., id., col. 5, lines 20-57. A cover 23 is fixed to the case 1 using connection hooks 23B that are snapped into catches 1D in the case 1 to press the inner ring 22 and the gasket 21 against the periphery ridge 24 of the case 1 to provide a watertight structure. See, e.g., id., col. 5, lines 58-67; col. 4, lines 58-60; col. 5, lines 13-24. The push button 20 extends through an opening 23A of the cover. See, e.g., id., col. 6, lines 9-11.

The Examiner contended that Katsumi's gasket 21, inner ring 22, and cosmetic plate 25 could be considered a soft plastic membrane and that Katsumi's cover 23 could be considered a hard plastic base to which the membrane is bonded. But, even if Katsumi's gasket 21, inner ring 22, and cosmetic plate 25 could properly be considered a soft plastic membrane and Katsumi's cover 23 could properly be considered a hard plastic base, which Applicants do not concede, Katsumi neither discloses nor suggests that his cover 23 is bonded to his gasket 21, inner ring 22, and cosmetic plate 25. Rather, Katsumi explains that the gasket 21, inner ring 22, and cosmetic

plate 25 are compressed between the cover 23 and the case 1 to provide a watertight structure. Moreover, Katsumi fails to disclose or suggest that his button 20 is fastened or secured to his cover 23. Rather, it appears that the button 20 is capable of moving relative to the cover 23 within the opening 23A of the cover 23.

Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsumi in view of U.S. Patent 6,779,216 ("Davies"). But Davies fails to cure the deficiencies discussed above with regard to Katsumi. Thus, for at least the reasons discussed above, Applicants request reconsideration and withdrawal of this rejection.

Claims 22 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsumi in view of U.S. Patent 6,369,341 ("Buchan"). But Buchan fails to cure the deficiencies discussed above with regard to Katsumi. Thus, for at least the reasons discussed above, Applicants request reconsideration and withdrawal of this rejection.

Allowable Subject Matter

Applicants thank the Examiner for acknowledging that claims 3, 10-12, 17, 21, and 24-27 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 02894-717US1.

Applicant : Karl Herzog et al
Serial No. : 10/540,320
Filed : June 21, 2005
Page : 10 of 10

Attorney's Docket No.: 02894-717US1 / 06732

Respectfully submitted,

Date: August 9, 2007



Michael R. Hamlin
Reg. No. 54,149

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21616160.doc